

The new year brings changes in the expedited procedure for orders for payment

What will change?

Where previously the maximum limit for the claims made in the expedited procedure for orders for payment was 6400 euros, then from the new year this limit shall be raised to 8000 euros. In addition, from the new year, the minimum state fee shall be 65 euros.

What is the expedited procedure for orders for payment?

The expedited procedure for orders for payment is a simplified procedure that enables to receive a court decision ordering payment more quickly, with a lesser burden of proof and often cheaper than the traditional court proceedings. This enables the claimant to save money, time, and stress capacity. The prerequisite for an expedited procedure for orders for payment is that the claimant has a monetary claim, which has fallen due – for example when the due date of the invoice has passed.

How is the size of the claim calculated?

When calculating the size of the claim, as well as the current 6400 euros and the future 8000 euros maximum limit, the main and collateral claims are added. This means that the debt, interests, and penalties for late payment are added up.

Submitting the petition

The petition in the expedited procedure for orders for payment must be submitted electronically by filling the form in the e-toimik (e-File) system. The form requires the description of the claim and the evidence supporting that claim (for example the loan agreement). When submitting the petition, the claimant must also pay the state fee in the amount of 3% of the size of the claim, but not less than 45 euros. From the new year, the minimum state fee shall be 65 euros. The petition can be submitted by the claimant themselves, but they can also use the help of attorneys if necessary.

What happens after the submission of the petition?

When the petition is submitted the court shall first check whether all relevant information has been presented. In that case, the court shall forward a proposal for payment to the debtor. In essence, the debtor has two options: whether to 1) object to the claim, or 2) not respond/ agree with the claim.

If the debtor objects to the claim, then according to the choice made by the claimant when submitting the petition, the dispute shall continue in the court as a regular court proceeding or the proceedings of payment of debt shall be terminated.

If no objections are made to the proposal of payment, the court issues an order for payment, which the claimant can use as an enforceable document when contacting the enforcement agent.

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